NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 29. OFFICE OF PEST MANAGEMENT

Editor's Note: The following Notice of Proposed Rulemaking was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 2992.) The Governor's Office authorized the notice to go through the rulemaking process on September 12, 2014.

[R14-181]

PREAMBLE

<u>1.</u>	Articles, Parts or Sections Affected (as applicable)	Rulemaking Action
	R4-29-102	Amend
	R4-29-103	Amend
	R4-29-202	Amend
	R4-29-203	Amend
	R4-29-204	Amend
	R4-29-207	Amend
	R4-29-208	Amend
	R4-29-304	Amend
	R4-29-307	Amend
	R4-29-308	Amend
	R4-29-501	Amend
	R4-29-503	Amend

2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute(s): A.R.S. §§ 32-2304(A)-(B)

Implementing statute(s): A.R.S. §§ 32-2304(A)-(B), 32-2312(A), 32-2317, and 32-2324(A).

3. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed rule:

Notice of Final Exempt Rulemaking: 19 A.A.R. 2967, October 4, 2013. Notice of Final Exempt Rulemaking: 20 A.A.R. 717, March 21, 2014. Notice of Rulemaking Docket Opening: 20 A.A.R. 728, March 21, 2014. Notice of Rulemaking Docket Opening: 20 A.A.R. 2894, October 31, 2014.

4. The agency's contact person who can answer questions about the rulemaking:

Name: Jack Peterson

Address: Department of Agriculture

1688 W. Adams St. Phoenix, AZ 85007

Telephone: (602) 542-3575

Fax: (602) 542-0466

E-mail: jpeterson@azda.gov

5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an

explanation about the rulemaking:

Laws 2011, Ch. 20, § 6 required the Director of the Arizona Department of Agriculture (ADA) to appoint a nine member task force to study the regulation of structural pest management in Arizona. The Task Force's recommendations on statutory changes became SB1290 (2013) and SB1143 (2013), albeit with a few changes made by the Legislature. Both bills passed and were signed into law. See Laws 2013, ch. 125 & Laws 2013, ch. 64. Subsequently, the Office of Pest Management (the Office) established, by exempt rulemaking procedures, rules to implement the statutory changes. See 19 A.A.R. 2967, October 4, 2013 and 20 A.A.R. 705, March 21, 2014. The Office proposes this rulemaking to make its fee rule permanent, reduce license fees established under the rule, and to address practical issues in the rules that have been uncovered during the initial period of their enforcement. The proposed changes are set forth in further detail as follows:

The Office is amending R4-29-102 to allow individuals with an industrial license to perform all methods of mosquito control. This amendment was requested by the Office of Pest Management Advisory Committee.

R4-29-103 was established under exempt rulemaking. The Office is adopting the rule through this regular rulemaking to make the fees permanent and avoid the necessity for future exempt rulemakings. The Office is also amending the rule to reduce licensure, certification and registration fees as follows:

- 1. For an applicator: the applicator certification fee is reduced from \$100 to \$75; the applicator certification broadening application fee is reduced from \$50 to \$0;
- 2. For a qualifying party: the QA certification fee is reduced from \$200 to \$100; the QA certification broadening application fee is reduced from \$100 to \$25; the fee for registration, at a different time than application for renewal of the business license, is reduced from \$100 to \$50; the registration broadening fee is reduced from \$50 to \$25;
- 3. For a business: the business license fee is reduced from \$300 to 250; the applicator registration fee is reduced from \$25 to \$0; and
- 4. For a branch: the branch office registration fee is reduced from \$100 to \$50 per branch; the fee for branch supervisor registration, at a different time than branch office registration, is reduced from \$50 to \$25.

The Office is amending R4-29-103(B) to allow for pre-payment of certain fees for a ten percent fee reduction and R4-29-103(E) to allow licensees in good standing to renew their licenses after the general deadline.

The Office is amending R4-29-202 to implement statutory requirements for an applicant's proof of financial security as prescribed by A.R.S. §§ 32-2304 and 32-2313.

The Office is amending R4-29-203, R4-29-204 and R4-29-207 to require proof of lawful presence to be submitted earlier in the application process to reduce the amount of unnecessary time an applicant who cannot provide proof of lawful presence spends on an application.

The Office is amending R4-29-204 to remove the requirement that an applicant have applicator certification in each category for which the applicant seeks QA certification.

The Office is amending R4-29-208 to create a legal mechanism for surrendering an applicator or business license. Prior to this rulemaking there has not been a clearly defined method for surrendering a license, causing individuals to keep or renew their license even though they no longer have a need for the license and do not intend to perform pest management activities.

The Office is amending R4-29-304 to correct a punctuation issue.

The Office is amending R4-29-307 to clarify what is required when applicators are inspecting structures that include crawlspaces and to increase the amount of clear space between the bottom of a floor and grade level which will be deemed inaccessible to an applicator conducting an inspection.

The Office is amending R4-29-308(B) to require that an on-site inspection take place prior to issuance of a treatment proposal or quote of a fee for service.

The Office is amending R4-29-308(I) to clarify that applications must treat soil along the exterior of foundation walls and be made in accordance with specific and generally accepted commercial practices unless directions on a product label prevent them from doing so and to require that post construction treatments be made in accordance with the terms of their respective treatment proposals unless authorized and approved by the authorized agent prior to performing the treatment.

The Office is amending R4-29-501 and R4-29-503 to clarify recordkeeping requirements for pesticide applicators, business licensees and political subdivisions.

The Office discussed the rulemaking with the Pesticide Management Advisory Committee (PMAC) and members of the public representing pesticide management industry at the August 22, 2014 PMAC meeting. After the discussion, the Committee unanimously voted to approve the Office's request to move forward with rulemaking.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely

on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

8. The preliminary summary of the economic, small business, and consumer impact:

The amendments reducing the fees in R4-29-103(A) are projected to reduce the burden of these rules on the regulated industry by approximately \$700,000 per year.

The other amendments in this rulemaking are not expected to have a significant economic impact; however, the Office expects these amendments will reduce the regulatory burden of the rules by clarifying compliance issues, increasing renewal options, and allowing for license surrender.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Jack Peterson

Address: Department of Agriculture

1688 W. Adams Št. Phoenix, AZ 85007

Telephone: (602) 542-3575
Fax: (602) 542-0466
E-mail: jpeterson@azda.gov

10. The time, place, and nature of the proceedings to make, amend, repeal or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: December 16, 2014

Time: 1:30 p.m.

Location: Department of Agriculture

1688 W. Adams Št. Phoenix, AZ 85007

Nature: Public hearing on the proposed rules, with opportunity for formal comments on the

record. Please call (602) 771-4795 for special accommodations pursuant to the Americans with

Disabilities Act.

The close of the written comment period will be 5:00 p.m., December 15, 2014. Submit comments to the individual identified in item #4.

- 11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules in this rulemaking do not require a permit. R4-29-201 which relates to the rules in this rulemaking requires a permit, but R4-29-201 is not being amended or repealed by this rulemaking. Rules R4-29-102, R4-29-103, R4-29-202, R4-29-203, R4-29-204, R4-29-207, and R4-29-208 set requirements for obtaining permits required by R4-29-201. General permitting is not used because the authorizing statutes prescribe seven categories of certification and distinct licensure requirements for businesses and individuals. See A.R.S. §§ 32-2312, 32-2313, 32-2314, and 32-2315.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Pesticide Programs, 40 C.F.R. §§ 150-180, contains the federal regulations related to pesticide registration, application, and certification of pesticide applicators. A State may certify applicators of restricted use pesticides by obtaining approval from EPA of a State plan for that purpose. See 40 CFR 171.7. The standards of certification in the State plan must "conform and be at least equal to those prescribed" in 40 CFR 171.4(a) and 171.5(a). See also 40 CFR 171.7(e)(1)(i)(C) and (e)(1)(ii)(B). These rules are in conformance with 40 C.F.R. §§ 150-180 and the approved State plan. Furthermore, the Director of the Arizona Department of Agriculture (the Director) is responsible for administering the Office of Pest Management statutes and A.R.S. § 32-2304 expressly authorizes the Director to adopt rules that are more stringent than corresponding federal law.

Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules: None

13. The full text of the rule follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 29. OFFICE OF PEST MANAGEMENT

ARTICLE 1. GENERAL AND ADMINISTRATIVE PROVISIONS

Section	
R4-29-102.	Certification Categories; Scope
R4-29-103.	Fees; Charges; Exemption

ARTICLE 2. CERTIFICATION, REGISTRATION AND LICENSURE; CONTINUING EDUCATION

Section R4-29-202. R4-29-203. R4-29-204. R4-29-207. R4-29-208.	Business License Applicator Certification Qualified Applicator Certification Applicator Registration License, Certification and Registration Renewal
	ARTICLE 3. PEST MANAGEMENT
Section	
R4-29-304.	Devices Exempt From Icensure and Registration; Advertising
R4-29-307.	Performing a Wood-destroying Insect Inspection; WDIIRs
R4-29-308.	Performing Wood-destroying Insect Management
	ARTICLE 5. RECORDKEEPING AND REPORTING
Section	

Section

R4-29-501. Applicator Recordkeeping

R4-29-503. Business Licensee and Political Subdivision Recordkeeping and Retention

ARTICLE 1. GENERAL AND ADMINISTRATIVE PROVISIONS

Certification Categories; Scope R4-29-102.

The name and scope of each certification category are as follows:

- 1. Industrial and institutional: pest management in, on, around or adjacent to a structure not covered by another category; pest management in or on asphalt, concrete, gravel, rocks and similar surfaces, including man holes, not covered by another certification category; pest management of health related pests wherever found other than in water; and pest management of insects (in all life stages) in water limited to using pesticide briquettes; but excluding antimicrobial pest management and fungi inspection.
- 2. No change
 - a. No change
 - b. No change
- 3. Ornamental and turf: pest management, including weeds, in the maintenance of turf or bare ground not covered by the right-of-way category and ornamental trees, shrubs, and flowers by a means other than use of a fumigant.
- 4. No change
- 5. No change
- 6. No change
- 7. No change

R4-29-103. Fees; Charges; Exemption

- **A.** A person shall pay the following application and renewal fees for licensure, certification, and registration:
 - 1. For an applicator:

- a. Applicator certification, \$100 \$75.
- b. Applicator certification broadening application, \$50 \u22a0.
- c. QA certification, \$200 \$100.
- d. QA certification broadening application, \$100 \$25.
- 2. For a qualifying party:
 - a. No change
 - b. Registration at a different time than application for or renewal of the business license, \$100 \$50.
 - c. Registration broadening, \$50 \$25.
 - d. No change
- 3. For a business:
 - a. Business license, \$300 \$250.
 - b. No change
 - c. Applicator registration, \$25 \underset{90} per applicator.
- 4. For a branch:
 - a. Branch office registration, \$100 \$50 per branch.
 - b. No change
 - c. Branch supervisor registration at a different time than branch office registration, \$50 \,\frac{\$25}{.}
- **B.** A person renewing an applicator certification, QA certification, business license, branch office registration, or branch supervisor registration at a different time than branch office registration shall receive a 10 percent reduction in the renewal fee for renewals submitted for a two year renewal period.
- **B.C.** In addition to the fees listed in subsection (A), a person shall pay a \$10 handling fee for each application or renewal form not submitted electronically when OPM allows electronic submission.
- **E.D.** A person shall pay a late fee equal to half of the renewal fee for any license, certification, or registration that is not renewed timely. If a business license remains expired for more than 30 days, to renew the license, a person shall also pay an additional late fee of \$15 per month that the license remains expired, not to exceed \$165. Late fees are in addition to the renewal fee.
- **D.E.** A business licensee shall pay the following TARF fees:
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 4. No change
 - 5. No change
- **E.F.** If the OPM administers a certification examination, an applicant shall pay \$50 to take the examination. If an examination service or testing vendor administers a certification examination, an applicant shall pay the examination service or testing vendor the examination cost established in the vendor's contract with the OPM.
- **F.G.** OPM employees are exempt from the applicator and examination fees listed in this Section.
- G-H. An applicant who makes a payment for a fee due under this Section that is rejected by a financial institution will be subject to all of the following:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
- **H.I.** The OPM may reject an application or request for service that is submitted with the incorrect fee and not process the application or provide the service. An application for renewal will be considered untimely if the substitute payment is not received by the OPM by the original due date, and the applicant will be subject to a late fee based on the date of receipt of the substitute payment.
- **L.J.** In addition to the fees listed in this Section, the OPM may collect service charges from persons who pay with alternative payment methods, including credit cards, charge cards, debit cards and electronic transfers.

ARTICLE 2. CERTIFICATION, REGISTRATION AND LICENSURE; CONTINUING EDUCATION

R4-29-202. Business License

- A. No change
 - 1. No change
 - a. No change

- b. No change
- c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
- c. No change
- d. No change
- e. No change
- f. No change
- g. No change
- h. No change
- 2. No change
- 3. No change
- 4. No change
- **B.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- C. No change
- **D.** No change
- E. No change
 - 1. No change
 - 2. No change
- F. No change
- G. No change
- H. If an applicant's proof of financial security includes an insurance policy which provides for a deductible in excess of one percent of the total financial security for each occurrence, the applicant shall provide other evidence of financial security for the excess deductible amount as required by A.R.S. § 32-2313. Financial security in the following forms will be acceptable, provided that the nature of the security provides adequate protection for persons who may suffer bodily injury or property damage as a result of the operations of the applicant:
 - 1. <u>Liability insurance</u>, self-insured retention or surety bond issued by an insurer that holds a valid certificate of authority or that is permitted to transact surplus lines insurance in this state;
 - 2. Bank statement evidencing a deposit of money in an amount equal to, or greater than, the excess deductible amount; or
 - 3. Certified Check in an amount equal to, or greater than, the excess deductible amount.

R4-29-203. Applicator Certification

- **A.** Application. An applicant for applicator certification shall submit the fee specified in R4-29-103 and the following information on a form obtained from the OPM:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change8. No change
 - 9. No change
 - 10. No change
 - 11. No change
 - 12. No change
 - 13. No change
 - 14. Information and documentation concerning lawful presence required by A.R.S. § 41-1080.
- **B.** No change
 - 1. No change

- 2. No change
- 3. No change
- C. No change
- **D.** No change
- E. No change
- F. No change
 - 1. No change
 - 2. No change
 - 3. No change

R4-29-204. Qualified Applicator Certification

- **A.** Before applying for QA certification, an applicant shall have applicator certification in each category for which the applicant seeks QA certification and fulfill the experience requirement for each category.
- **B.** Application. An applicant for QA certification shall submit the fee specified in R4-29-103 and the following information on a form obtained from the OPM:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change8. No change
 - 9. No change
 - 10. No change
 - 11. No change
 - 12. No change
 - 13. No change
 - 14. No change
 - 15. No change
 - 16. Information and documentation concerning lawful presence required by A.R.S. § 41-1080, if not on file.
- C. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
- D. No change
- E. No change
 - 1. No change
 - 2. No change
 - 3. No change
- F. No change
 - 1. No change
 - 2. No change
- G. No change
- H. No change
 - 1. No change
 - 2. No change
 - 3. No change
- **I.** No change

R4-29-207. Applicator Registration

- A. No change
- **B.** To register an applicator, a person shall submit the fee specified in R4-29-103 and the following information about the applicator on a form obtained from the OPM:
 - 1. No change
 - 2. No change
 - 3. No change

- 4. No change
- 5. For an uncertified applicator, the applicator's:
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. Information and documentation concerning lawful presence required by A.R.S. § 41-1080; and
- 6. No change
- C. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change

R4-29-208. License, Certification and Registration Renewal

- A. No change
- B. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - 3. No change
 - a. No change
 - b. No change
 - 4. No change
- C. No change
- **D.** No change
- E. Expired license, certification, or registration.
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. Notwithstanding subsections (E)(1) and (E)(2)(a), an applicator who fails to renew by June 30 may renew by submitting a complete renewal application, including the renewal fee and the late fee, by August 31 if:
 - a. The applicator has not received discipline from the Office within five years immediately preceding the renewal application; and
 - b. The applicator has not previously renewed their certification after June 30.
- F. No change
 - 1. No change
 - a. No change
 - b. No change
 - 2. No change
- **G.** Surrendering a certification or license.
 - 1. An applicator or business licensee may surrender their certification or license at any time, except for the following situations:
 - a. The applicator or business licensee is currently the subject of an investigation; or
 - b. The applicator or business licensee owes civil penalties or termite action registration form fees.

- 2. An applicator or business licensee that has surrendered their certification or license is not absolved of any termite action registration form fees or civil penalties based on actions or omissions that occurred prior to surrendering their certification or license.
- 3. The office shall not refund any certification or licensing fees paid prior to the applicator or business license surrendering their certification or license.

ARTICLE 3. PEST MANAGEMENT

R4-29-304. Devices Exempt From Licensure and Registration; Advertising

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
- **B.** An unlicensed person who engages in the business of pest management, but is exempt from licensure and registration because the person does not apply any pesticides and only uses devices listed in subsection (A) shall prominently display or include the phrase "Not a licensed pest control company to apply pesticides" in all written and oral advertisements.

R4-29-307. Performing a Wood-destroying Insect Inspection; WDIIRs

- A. No change
- **B.** An applicator completing a WDIIR shall inspect all areas of a structure <u>including crawlspaces</u> that are visible or accessible at the time of the inspection. The applicator may use techniques such as non-destructive probing and sounding.
- **C.** No change
- **D.** No change
 - 1. No change
 - 2. Inaccessible sub-area such as an area with less than 48 24 inches of clear space between the bottom of a floor joist and grade level;
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - 4. No change
 - 5. No change
- E. No change
- **F.** No change
- G. No change

R4-29-308. Performing Wood-destroying Insect Management

- A. No change
- **B.** An applicator shall not perform wood-destroying insect management, issue a treatment proposal, or quote a fee for service until the business licensee or political subdivision that employs the applicator ensures that:
 - 1. A wood-destroying insect An on-site inspection of the property is performed, in accordance with R4-29-307, by a certified applicator meeting the training requirement under A.R.S. § 32-2332(E),
 - 2. A treatment proposal is prepared, based upon the on-site inspection, on a form approved by the OPM and contains the information required under A.R.S. § 32-2332(B) and (C), and
 - 3. The treatment proposal is delivered to the person requesting the proposal or treatment, prior to the treatment.
- **C.** No change
- D. No change
 - 1. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change

- vii. No change
- 2. No change
- 3. No change
 - a. No change
 - b. No change
 - c. No change
- 4. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
- 5. No change
- 6. No change
 - a. No change
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 - c. No change
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 - i. No change
 - j. No change
 - k. No change
 - No change
 - m. No change
 - n. No change
 - o. No change
 - p. No change
- 7. No change
- 8. No change
- E. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- **F.** No change
 - 1. No change
 - 2. No change
- 3. No change **G.** No change
- H. No change
- I. Post-construction treatment for commercial or residential construction.
 - 1. No change
 - 2. No change
 - 3. Unless precluded by label directions, any application to treat the soil along the exterior of foundation walls shall be made at an effective treatment rate of four gallons of chemical preparation per ten linear feet in a trench six inches wide or other method of treatment prescribed by the label to achieve the effective treatment rate.

4. All post construction treatments shall be made in accordance with the treatment proposal delivered as required under subsection (B). Any deviations to the original proposal shall be redelivered in writing in a revised treatment proposal and shall be approved prior to performing the treatment by the person who requested the original proposal or their authorized agent.

ARTICLE 5. RECORDKEEPING AND REPORTING

R4-29-501. Applicator Recordkeeping

- **A.** An applicator shall make all records required by law and provide the records to the business licensee or political subdivision that <u>supervises</u>, <u>directs</u>, <u>or</u> employs the applicator within five business days.
- **B.** Service records. An applicator shall make a record of each pest management service provided. The applicator shall include the following information in the service record:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. Amount of pesticide applied, in terms of percent active ingredient and volume total amount of diluent (water, etc.); diluted mixture or in terms of total amount of liquid concentrate and total amount of diluent (water, etc.); or total amount of ready-to-use product by weight or volume (e.g. lbs, grams, ounces, etc.); granular material, or bait stations; and
 - 8. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- **D.** No change
 - 1. No change
 - 2. No change
 - 3. No change4. No change
 - No change
 No change
 - 6. No change
 - 7. No change
 - 8. No change
- E. No change
- E. No change
 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No changef. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No changel. No change
 - m. No change
 - n. No change
 - o. No change

- p. No change
- **F.** No change

R4-29-503. Business Licensee and Political Subdivision Recordkeeping and Retention

- **A.** In addition to ensuring that the records required under R4-29-501 and R4-29-502 are made and maintained, a business licensee and political subdivision shall make and maintain records of the following:
 - 1. The specimen label and SDS for each registered pesticide currently used by an applicator <u>supervised</u>, <u>directed or</u> employed by the business licensee or political subdivision;
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. Personnel records including for each employee of applicator supervised, directed or employed by the business licensee or political subdivision:
 - a. Date of hire or beginning of relationship;
 - b. Date on which pest management services are first performed;
 - c. Training and continuing education received;
 - d. Supervision received;
 - e. Protective clothing, safety supplies, and equipment issued to employee;
 - f. Name of supervisor; and
 - g. Employment or relationship ending date.
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change9. No change
 - 10. No change
- **C.** When an applicator <u>supervised, directed or</u> employed by a business licensee submits a WDIIR, the business licensee shall record the following on the WDIIR:
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
- 3. No change
- **D.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No changee. No change
 - 4. No change

Arizona Administrative Register / Secretary of State

Notices of Proposed Rulemaking

- a. No change
- b. No change
 - i. No change
 - ii. No change
 - iii. No change
- 5. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - d. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - e. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change